STOEL RIVES LLP
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DOCKET
11-AFC-1
DATE AUG 25 2011
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August 25, 2011

VIA HAND DELIVERY AND EMAIL

Mr. Eric Solorio, Siting Project Manager
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

Re: Pio Pico Energy Center Project (11-AFC-1)
Supplemental Responses to Data Requests Relating to Biological Resources

Dear Mr. Solorio:

On behalf of Applicant Pio Pico Energy Center, LLC, please find enclosed herein for docketing supplemental responses to staff's data requests relating to biological resources. Specifically, the enclosed materials are responses to Energy Commission Staff Biologist Ann Crisp's email to Applicant's biological resources consultant dated August 15, 2011.

Should you have any questions regarding this submittal, please contact our office.

Respectfully submitted,

Melissa A. Foster

MAF:kjh
Enclosures
cc: See Proof of Service List

Ann Crisp <ACrisp@energy.state.ca.us>
08/15/2011 10:39 AM

To <lincoln_hulse@URSCorp.com>
cc Candace Hill <CHill@energy.state.ca.us>, Carol Watson <CWatson@energy.state.ca.us>, Eric Solorio <ESolorio@energy.state.ca.us>, Marylou Taylor
bcc
Subject Pio Pico data request questions

Hi Lincoln,

I have the following questions regarding the responses to data requests as well as clarifications from the AFC.

1. BIO-17 states the linears will avoid special aquatic resources along all the routes. However, BMPs will still be necessary since work will be conducted near these features. How many transmission line poles will be located along transmission line route B? How far will the poles be from the drainage? What BMPs will be used near this drainage and along any other linears to avoid fill of any wetlands or other waters?
2. BIO-18 What is the status of the Preliminary Jurisdictional Determination Report and has the Army Corps received it and is it in review?
3. BIO-21 Is the entire transmission line route (both A and B) within the parcels that have had a minor amendment approved as part of the prior Otay Mesa Powerplant project? Based on the maps submitted at least one of the poles would be within non-native grassland which would need to be compensated for as part of the MSCP if it was not already done as part of the Otay Project.
4. The AFC states all special-status species surveys were conducted in November 2010, however this is outside the blooming period for most special-status plants occurring in the project area. In particular, Otay tarplant which blooms from May to June and has critical habitat mapped along transmission line route B. How was it determined this species had a low potential to occur?
5. What is the status of the fairy shrimp protocol surveys and report?

Responses to these questions will be helpful in preparing the Preliminary Staff Assessment. If you could please provide answers to these questions this week that would be greatly appreciated.

Thanks!

Ann

Staff Biologist
Biological Resources Unit
California Energy Commission
Siting, Transmission, and Environmental Protection Division
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1. BIO-17 states the linears will avoid special aquatic resources along all the routes. However, BMPs will still be necessary since work will be conducted near these features. How many transmission line poles will be located along transmission line route B? How far will the poles be from the drainage? What BMPs will be used near this drainage and along any other linears to avoid fill of any wetlands or other waters?

Facility placement and design were intended to avoid special aquatic resources within the region. No temporary impacts or permanent losses to special aquatic resources are expected with the project. The nearest transmission line pole is roughly 90 feet from any special aquatic resources area. There are 4 transmission line poles that will be located along transmission line route B.

Furthermore, the following BMP's/mitigation measures will ensure that there are no temporary or permanent impacts or losses to special aquatic resources:

1. **The Applicant will assign a Designated Biologist to monitor the project transmission line pole construction, and will submit the resume of the proposed Designated Biologist, with at least three references and contact information, to the California Energy Commission (CEC) Compliance Project Manager (CPM) for approval prior to start of construction.**

2. **The biological monitor will be available to supervise, conduct, and coordinate mitigation, monitoring, and other biological resources compliance efforts, particularly in areas requiring avoidance or containing sensitive biological resources, such as special-status species or their habitat;**

3. **The biological monitor will be available to clearly mark sensitive biological resource areas and inspect these areas at appropriate intervals for compliance with regulatory terms and conditions;**

4. **The biological monitor will be available to notify the project owner and the CPM of any noncompliance with any biological resources Condition of Certification**

5. **The biological monitor will be available to require a halt to all activities in any area when determined that there would be an unauthorized adverse impact to biological resources if the activities continued;**

The BRMIMP will be prepared in consultation with the Designated Biologist and will identify:

1. **All biological resources mitigation, monitoring, and compliance measures proposed and agreed to by the project owner.**

2. **All biological resources Conditions of Certification identified as necessary to avoid or mitigate impacts.**

3. **All biological resources mitigation, monitoring, and compliance measures required in local agency permits, such as site grading and landscaping requirements.**

4. All sensitive biological resources to be impacted, avoided, or mitigated by project construction, operation and closure.

5. All required mitigation measures for each sensitive biological resource.

6. Required habitat compensation strategy, including provisions for acquisition, enhancement, and management for any temporary and permanent loss of sensitive biological resources.

7. A detailed description of measures that will be taken to avoid or mitigate temporary disturbances from construction activities.

8. All locations on a map, at an approved scale, of sensitive biological resource areas subject to disturbance and areas requiring temporary protection and avoidance during construction. This includes the installation of prominently colored fencing or similar materials wherever the limits of grading are adjacent to native/non-native vegetation communities or other biological resources. Fencing will remain in place during all construction activities. Temporary fencing will also be shown on all grading plans and project specifications. Barriers and signage will be installed to direct public access to appropriate locations.

9. Aerial photographs, at an approved scale, of all areas to be disturbed during project construction activities – one set prior to any site or related facilities mobilization disturbance and one set subsequent to completion of project construction. Include planned timing of aerial photography and a description of why times were chosen.

10. Duration for each type of monitoring and a description of monitoring methodologies and frequency.

11. Performance standards to be used to help decide if/when proposed mitigation is or is not successful.

12. All performance standards and remedial measures to be implemented if performance standards are not met.

13. A preliminary discussion of biological resources-related facility closure measures.

14. A process for proposing plan modifications to the CPM and appropriate agencies for review and approval.

15. A copy of all biological resources related permits obtained.

Lastly, the project owner will comply with BIO-1 through BIO-6, as set forth in the AFC, to further ensure that there are no temporary or permanent impacts or losses to special aquatic resources.

2. BIO-18: What is the status of the Preliminary Jurisdictional Determination Report and has the Army Corps received it and is it in review?

The Preliminary Jurisdictional Determination Report was revised in June 2011 and submitted to the Army Corps for review on August 10, 2011.

3. BIO-21: Is the entire transmission line route (both A and B) within the parcels that have had a minor amendment approved as part of the prior Otay Mesa Powerplant project? Based on the maps submitted at least one of the poles would be within non-native grassland which would need to be compensated for as part of the MSCP if it was not already done as part of the Otay Project.

   The status of the minor amendment is pending an information request made to the County.

4. The AFC states all special-status species surveys were conducted in November 2010, however this is outside the blooming period for most special-status plants occurring in the project area. In particular, Otay tarplant which blooms from May to June and has critical habitat mapped along transmission line route B. How was it determined this species had a low potential to occur?

   The location of transmission line route B is entirely located within previously disturbed areas that include bare ground and/or sparse ruderal non-native vegetation. Suitable habitat for the Otay tarplant includes native coastal scrub, and valley and foothill grassland with clay soils. Transmission line route B does not include suitable habitat for Otay tarplant and the tarplant would not be expected to occur along Transmission line route B, even though there is small overlap of critical habitat. Furthermore, the soils along transmission line route B are Huerhuero loam, which are also not suitable for the Otay Tarplant. The low potential for occurrence was based on the lack of suitable habitat for the species.

5. What is the status of the fairy shrimp protocol surveys and report?
   The surveys were conducted between December 14, 2010 and April 12, 2011. However, the report was not previously submitted as the filing of the AFC Refinement document on June 8, 2011 provided that the Modified Gas Line Route A specifically avoids avoid known populations of fairy shrimp within the region and avoids all potential habitat that may support vernal pools by not impacting the undeveloped areas of Alta Road. Notwithstanding the forgoing, a copy of the final report is attached.

URS

August 25, 2011

Ann Crisp
Staff Biologist
Biological Resources Unit
California Energy Commission
Siting, Transmission, and Environmental Protection Division
1516 9th Street, MS 40
Sacramento, CA 95814

SUBJECT: 2010 – 2011 FAIRY SHRIMP SURVEY REPORT PIO PICO ENERGY CENTER PROJECT

Dear Ms. Crisp:

On behalf of the Pio Pico Energy Center Project (PPEC) URS Corporation is submitting this letter to clarify the study area for the 2010- 2011 fairy shrimp surveys in light of the Project refinement that occurred in June of 2011. The original study area was defined as the physical ground disturbance footprint (i.e., generating facility site, substation, and transmission line pole locales; access road; construction laydown area; gas and sewer lines, etc.) plus a 500 foot buffer. This original study area included portions of the undeveloped Alta road which provided the only suitable habitat within the study area for fairy shrimp and/or vernal pools. Upon the project refinement, the section of Alta road that contained suitable habitat for fairy shrimp and/or vernal pools was removed from the Project and no longer considered part of the study area. Although the Project will not impact the suitable habitat for fairy shrimp and/or vernal pools, the surveys continued to fulfill the requirements of the USFWS wet season protocol. Furthermore, the survey results indicate that neither the federally endangered San Diego fairy shrimp nor the Riverside fairy shrimp are present within the Project study area. Only one species, the Vernal Pool fairy shrimp, *Branchinecta lindahli*, was observed within the study area. This species is considered a weedy species and does not have federal or state species status designations. The results indicate that all of the basins or complexes within the study area are of poor quality and consist of depressions in disturbed soils, road side ditches, and tire ruts.

Please contact me at (714) 648-2824 or via email at Lincoln_Hulse@URSCorp.com with questions.

Sincerely,

URS CORPORATION

Lincoln Hulse
Natural Resources Division Manager
URS Corporation
2020 East 1st Street, Suite 400
Santa Ana, CA 92705

2010 – 2011 FAIRY SHRIMP SURVEY REPORT

PIO PICO ENERGY CENTER PROJECT

CHULA VISTA, CALIFORNIA

August 2011

Prepared for:

Pio Pico Energy Center, LLC.

Prepared by:

URS

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1.0 INTRODUCTION

1.1 PROJECT LOCATION

The Pio Pico Energy Center Project (PPEC) is a proposed facility to be located within an unincorporated section south of the City of San Diego, California (Fig.1). For the purposes of this section, the proposed PPEC project will be hereafter referred to as the "project." The project occurs within the San Bernardino Merdian, Section 30, Township 18 South, and Range 1 East of the Otay Mesa United States Geological Survey (USGS) 7.5-Minute Topographic Quadrangle Map (USGS 1975). For the purposes of this evaluation, the project's "study area" is defined as the physical ground disturbance footprint (i.e., generating facility site, substation, and transmission line pole locales; access road; construction laydown area; gas and sewer lines, etc.) plus a 500 foot buffer (Fig. 2). The Universal Transverse Mercator (UTM) grid coordinates at the approximate center of the study area are Zone 11N, Easting 507694 meters (m) and Northing 3603988 meters. The majority of the study area has been previously disturbed and consists of open graded fields and is absent of native habitat. The region includes developed areas containing commercial and public infrastructure. The project's proposed ground disturbance footprint is relatively flat and insulated from the adjacent drainage and open space by roughly 200 feet.

The Project is located within lands that include suitable habitat for fairy shrimp. Therefore, wet-season sampling for fairy shrimp that are listed as threatened or endangered under the federal Endangered Species Act (FESA) (e.g., Riverside fairy shrimp [Streptocephalus woottoni], and San Diego fairy shrimp [Branchinecta sandiegonensis]) was performed following the U.S. Fish and Wildlife Interim Survey Guidelines to Permittees for Recovery Permits under Section 10(a)(1)(A) of the Endangered Species Act for the Listed Vernal Pool Branchiopods. This letter report details the findings of the 2010–2011 wet season surveys.

1.2 BACKGROUND INFORMATION AND EXISTING CONDITIONS

The Riverside fairy shrimp is listed as endangered under FESA. The Riverside fairy shrimp has very narrow habitat requirements. This species is only found in deep, cool lowland vernal pools that retain water through the warmer weather of late spring (USFWS 2002). This species is also can be found in depressions that support suitable habitat, such as road ruts and ditches. The continued existence of the Riverside fairy shrimp is threatened by habitat loss and degradation due to urban and agricultural development, off-road vehicle use, cattle trampling, human trampling, livestock grazing, trash dumping, invasion from weedy non-native plants, drainage or watershed alterations (often due to adjacent urban development), road development, military activities, water management activities, mowing or plowing, highway construction, fire, fire suppression activities, and drought (USFWS 2002).

The San Diego fairy shrimp is federally listed as endangered under FESA. The San Diego fairy shrimp is found in small, shallow vernal pools, which range in depth from 5 to 30 centimeters (cm) (2 to 12 in.) and in water temperatures from 10 to 20 degrees Celsius (C) (50 to 68 degrees Fahrenheit (F) (Simovich and Fugate 1992). This species is often found in vernal pools on chaparral covered mesas (Fugate 1993) and can occur in ditches and road ruts that can support suitable conditions (USFWS 1994). The San Diego fairy shrimp and their habitats have been affected by a variety of factors including: habitat destruction and fragmentation from urban development and agricultural conversion, alterations of vernal pool hydrology, off-road vehicle (ORV) activity, and livestock overgrazing (USFWS 2002b).

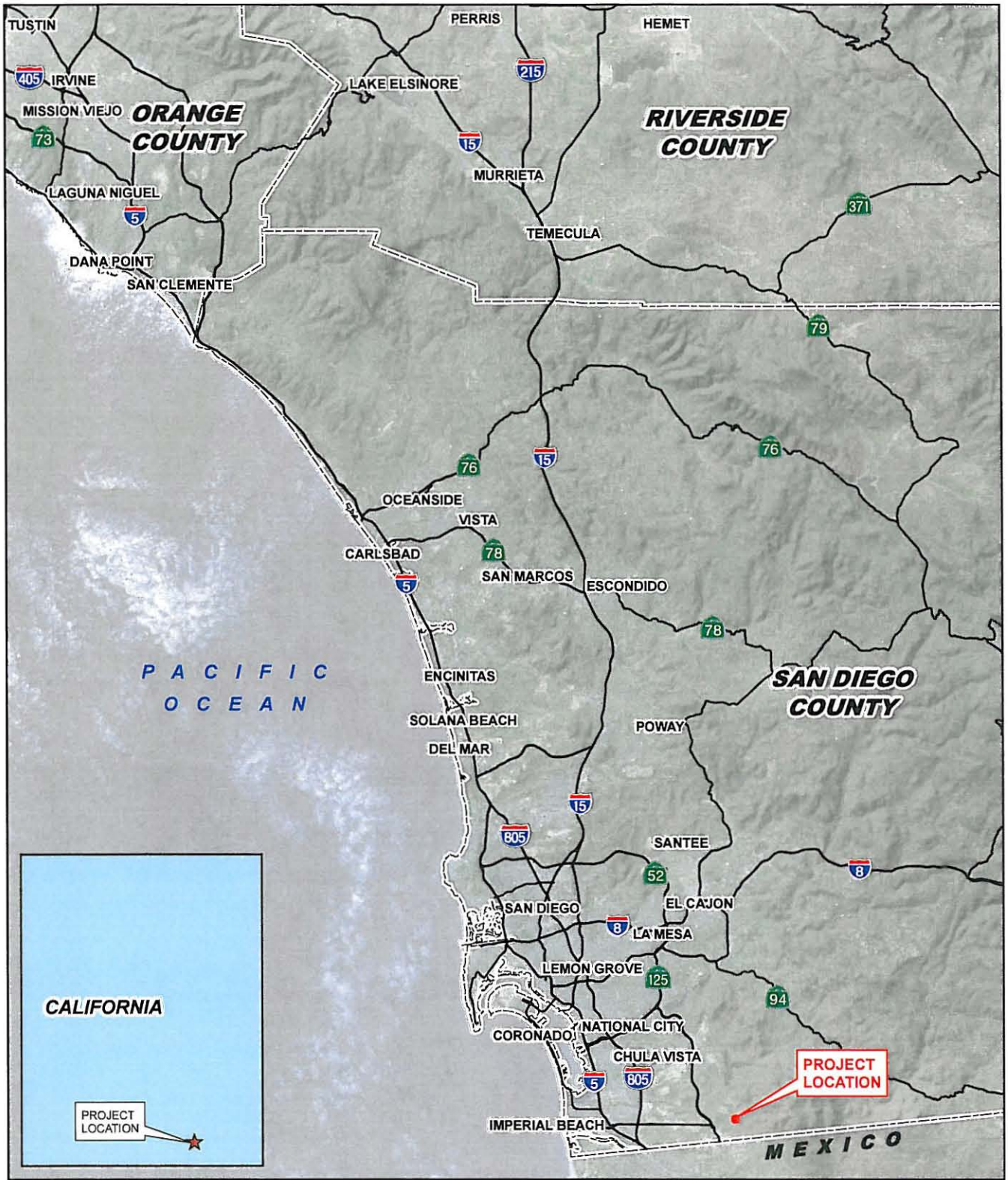
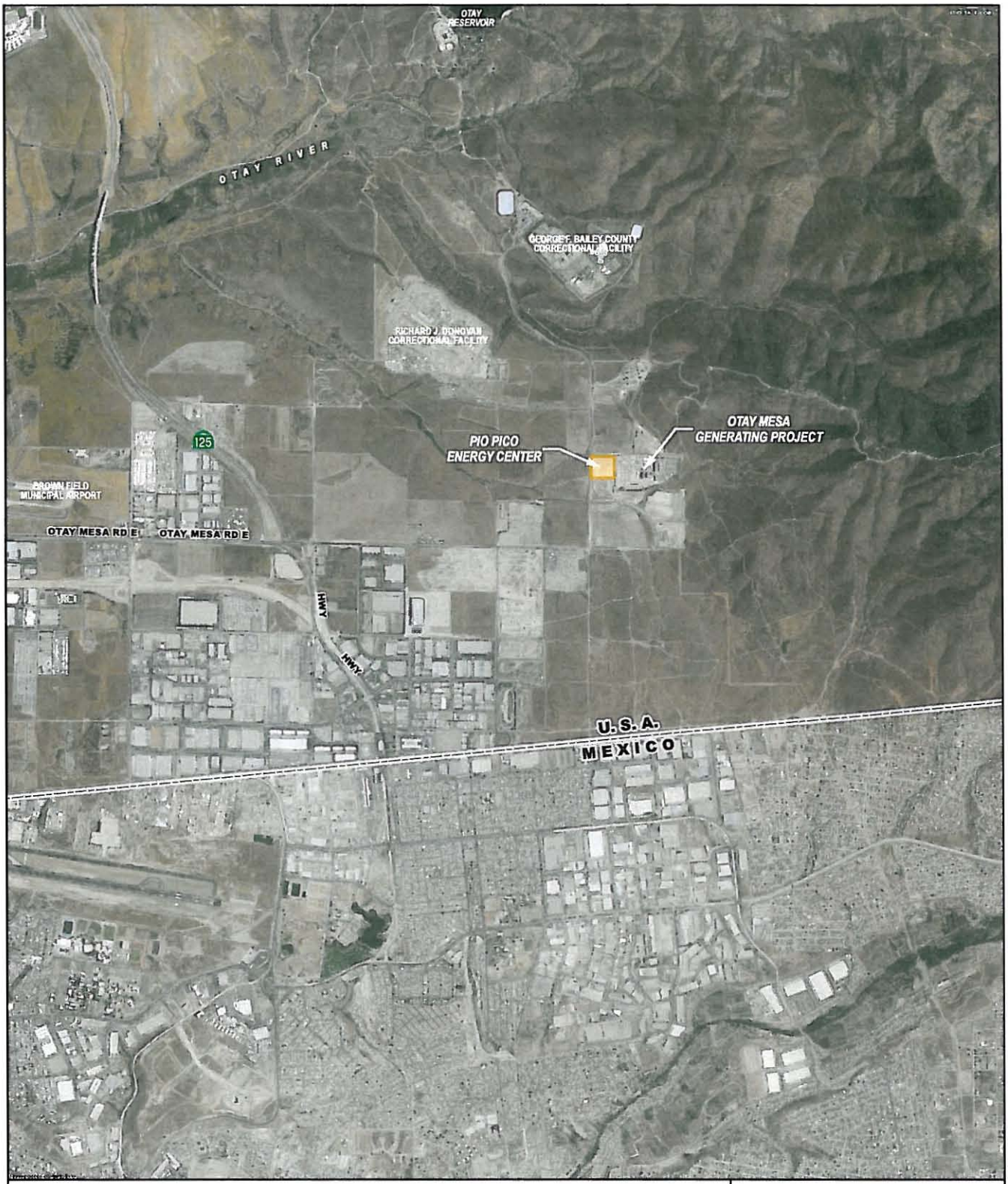


FIGURE 1
REGIONAL LOCATION

PIO PICO ENERGY CENTER

PROJECT NO.: 29874827
DATE: APRIL 2011

URS



Legend

Project Site

N

0 2,000 4,000 Feet

FIGURE 2
SITE VICINITY

PIO PICO ENERGY CENTER

PROJECT NO.: 29874827
DATE: APRIL 2011

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2.0 METHODS

Prior to beginning field surveys, URS Corporation (URS) consulted resource specialists and reviewed available information from resource management plans and relevant documents to determine the known occurrences of fairy shrimp and potential habitat within and adjacent to the project study area; resources were evaluated within 1 mile and 10 miles of the project pursuant to California Energy Commission's (CEC) evaluation guidelines. The materials reviewed included the following:

- City of Chula Vista Multiple Species Conservation Sub Area Plan (City of Chula Vista 2003);
- Otay Ranch Resource Management Plan (City of Chula Vista 1993);
- United States Fish and Wildlife Service (USFWS) Critical Habitat Mapper and File Data (USFWS 2009a, 2009b);
- USFWS Carlsbad Field Office Species List for San Diego County;
- Aerial Photographs (Digital Globe 2009); and
- California Natural Diversity Database (CDFG 2009 and 2010) were also queried for records of occurrence of special-status species and their habitats within the Otay Mesa and Jamul Mountains USGS 7.5-minute Quadrangle Maps (USGS 1975 and 1978).

Wet-season Surveys

An initial habitat assessment of the Project study area was conducted on December 14, 2010, following the first major storm event of the season (Accuweather 2010). Surveys were conducted from December 14, 2010 through April 12, 2011 (Table 1). The purpose of these surveys was to identify areas of ponded water that could potentially sustain federally-listed fairy shrimp. Pools/swales were mapped as complexes in areas where multiple pools were formed in roadside ditches, pot holes or tire ruts. Potential habitat for federally-listed fairy shrimp was defined as any seasonally inundated depression that on average ponds water, or gently conveys water 2.0 inches or greater in depth, for 14 or more consecutive days. Habitats with flowing water (e.g., creeks, streams, ephemeral drainages) or semi-to-permanently inundated areas, especially those that support predators (e.g., fish, crayfish, and bullfrogs), were not considered suitable habitat for federally-listed large branchiopods (Eriksen and Belk 1999; Helm 1998; Helm and Vollmar 2002).

Wet-season sampling was conducted as authorized by the United States Fish and Wildlife Service (USFWS). Sampling was conducted under permit TE 207873 of Section 10(a)(1)(A) of the FESA, 16 U.S.C. 1531 et. seq., and its implementing regulations. Methods generally followed USFWS Interim Survey Guidelines to Permittees for Recovery Permits under Section 10(a)(1)(A) of the Endangered Species Act for the Listed Vernal Pool Branchiopods (USFWS 1996) and are described below.

Wet-season sampling was initiated when any of the study area pools/swales ponded a minimum of 1.0 inch (3 cm) of water and continued at two-week intervals until the basins were completely dry or an inundation duration of 120 consecutive days had occurred.

Project study area basins were viewed prior to entering the water for large branchiopods. Any large branchiopods observed were quickly netted, viewed with the aid of a hand lens to determine species, and released unharmed back into the environment from which they were obtained. If no large branchiopods were observed, then a semi-quantitative sample was taken to determine the relative abundance of macroscopic invertebrates as follows:

- A 500-µm mesh size dip net was lowered vertically into the deepest portion of the inundated study area basin (usually the center) and rested on the bottom
- The dip net was then moved in the direction of the longest axis of the basin for approximately one-meter. In instances where half of the basin length was less than one meter in length, the dip net was repositioned in the deepest portion of the basin and moved in the opposite direction for the remainder of the one-meter sample
- Given the aperture of the dip net of 0.025 m^2 and distance the dip net was moved, roughly 0.025 m^3 or 25 liters of the water column was sampled horizontally each time
- In those cases when the water column was shallower than the dip net aperture height, the volume of water per sweep was calculated by the horizontal distance the net was moved multiplied by the width of the dip net (25-cm) multiplied by the depth of water
- After the completion of each sample sweep, the contents of the net were examined for aquatic macroscopic invertebrates
- Animals captured in the dip net were identified to the lowest justifiable taxon in the field (consisting of 28 taxonomic groups), and recorded on standardized data sheets.

The relative numbers of individuals observed within each taxonomic group was recorded in one of five categories:

- Rare (≤2 individuals)
- Not common (3–10 individuals)
- Common (11–50 individual)
- Very common (51–100 individuals)
- Abundant (>100 individuals)

This method allowed for the relative abundance and richness of aquatic invertebrates to be compared between and among study area basins through time. Additionally, this method allowed for concentration estimates of invertebrates to be calculated as number of individuals per liter of water (e.g., number of individuals/net aperture area x length of sweep).

If large branchiopods were not detected during the semi-quantified sampling method, additional strategically placed sweeps were made with the dip net. Taxonomic groups of aquatic invertebrates detected using this alternative method is noted as present by an "X" on the standardized field data sheet. After the taxonomic identification and enumeration were completed, the contents of the dip net were placed back into the basin from which

they were collected. In addition, temperature, maximum and average ponding depth, potential maximum and average ponding depth, present and potential ponding surface area, and the habitat condition of each basin sampled within the study area was determined and recorded during each field visit.

TABLE 1. PROJECT STUDY AREA VERNAL POOL BRANCHIOPOD SURVEY DATES

Survey Dates	Surveyor(s)
14 December 2010	Carol Thompson, Dennis Miller
4 January 2011	Carol Thompson, Elizabeth Kempton
19 January 2011	Carol Thompson, Erick Bailey
1 February 2011	Carol Thompson, Sean Harris
15 February 2011	Carol Thompson, Sean Harris
1 March 2011	Carol Thompson, Sean Harris
15 March 2011	Carol Thompson, Sean Harris
29 March 2011	Carol Thompson, Sean Harris
12 April 2011	Carol Thompson, Sean Harris

3.0 RESULTS

The study area has been previously disturbed and consists of open, graded, relatively flat fields, and is absent of native habitat. Pools surveyed for fairy shrimp were located on an existing dirt road (Alta Road) within tire ruts, pot holes and ditches. Alta Road runs south of the immediate study area. Precipitation event totals for the 2010–2011 survey are listed in Table 2.

TABLE 2. PRECIPITATION EVENTS IN CHULA VISTA, CA (2010–2011)[1]

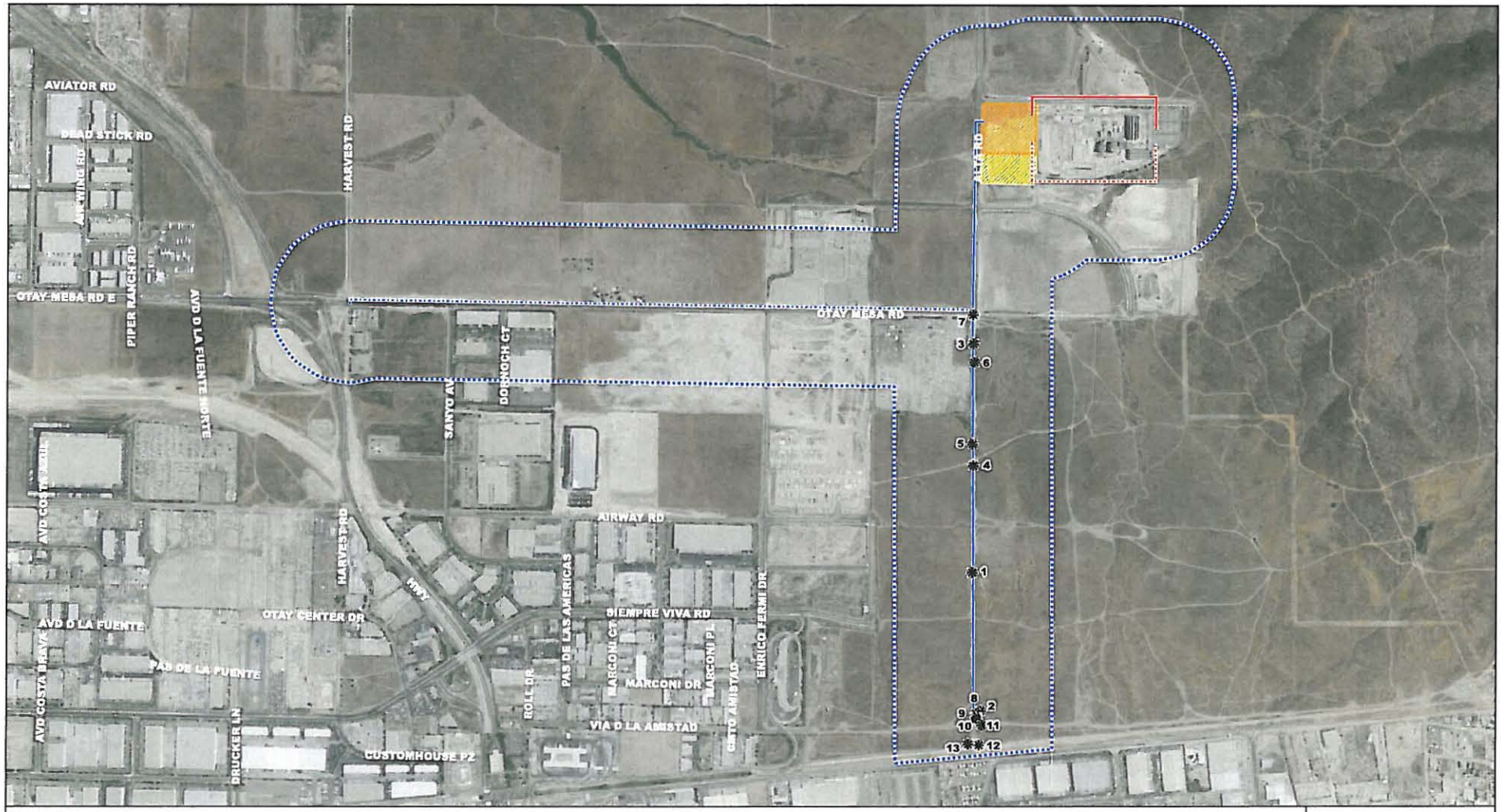
Date	Total (inch)
December 18, 2010	0.01
December 19, 2010	0.03
December 20, 2010	0.49
December 21, 2010	1.14
December 22, 2010	1.61
December 25, 2010	0.11
December 26, 2010	0.03
December 29, 2010	0.56
January 2, 2011	0.12
January 3, 2011	0.10
January 30, 2011	0.23
January 31, 2011	0.10
February 16, 2011	0.29
February 18, 2011	0.57
February 19, 2011	0.94
February 26, 2011	1.18
February 27, 2011	0.02
March 06, 2011	0.05
March 07, 2011	0.18
March 20, 2011	0.53
March 21, 2011	0.39
March 23, 2011	0.34
March 25, 2011	0.02
April 7, 2011	0.05
April 8, 2011	0.22
April 9, 2011	0.06

[1] Accuweather 2010/2011

Thirteen basins and/or pool complexes were identified during the fairy shrimp surveys (Fig 3). Three pools, 2, 11 and13 contained fairy shrimp species during the survey period. On February 1, 2011, Pool 2 contained one individual female *Branchinecta* species too small to ID to species. On February 2, 2011, Pool 11 contained approximately 10 *Branchinecta lindahli* individuals. On March 1, 2011, Pool 12 contained one individual female *Branchinecta* species too small to ID to species. No other fairy shrimp species were observed in any of the other basins/complexes surveyed. The results for each pool/complex are detailed in Table 3.

TABLE 3. BASINS AND/OR POOL COMPLEXES WITHIN THE PROJECT STUDY AREA

Pool/ Complex	Easting	Northing	Fairy Shrimp Species Detected
1	507587	3602323	—
2	507625	3601786	*One individual female Branchinecta sp. too small to ID to species.*
3	507583	3603209	—
4	507587	3602735	—
5	507583	3602818	—
6	507587	3603137	—
7	507580	3603321	—
8	507607	3601777	—
9	507607	3601760	—
10	507610	3601754	—
11	507630	3601731	*Branchinecta lindahli*
12	507620	3601653	—
13	507578	3601657	*One individual female Branchinecta sp. was too small to ID to species.*



Legend

- Biological Study Area
- Project Site
- Laydown Area
- Route A 230 kV Transmission Line
- Route B 230 kV Transmission Line
- Route A Natural Gas Line
- Route B Natural Gas Line
- Pool/Complex Location

N

0 600 1,200 Feet

FIGURE 3
POOL/COMPLEX LOCATIONS

PIO PICO ENERGY CENTER

PROJECT NO 29874827
DATE APRIL 2011

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4.0 CONCLUSIONS

The survey results indicate that neither the federally endangered San Diego fairy shrimp nor the Riverside fairy shrimp are present within the Project study area. Only one species, the Vernal Pool fairy shrimp, *Branchinecta lindahli*, was observed within the study area. This species is considered a weedy species and does not have federal or state species status designations. The results indicate that all of the basins or complexes within the study area are of poor quality and consist of depressions in disturbed soils, road side ditches, and tire ruts. Furthermore, facility placement and design was intended to avoid known populations of fairy shrimp within the region.

5.0 REFERENCES

Accuweather, 2010. Online weather information. www.accuweather.com

Accuweather, 2011. Online weather information. www.accuweather.com

City of Chula Vista. 2003. City of Chula Vista Multiple Species Conservation Sub Area Plan.

City of Chula Vista. 1993. Otay Ranch Resource Management Plan.

California Department of Fish and Game (CDFG). 2009 and 2010. RareFind California Department of Fish and Game Natural Diversity Database (CNDDB), Commercial Version, 3.1.0. Sacramento, CA: California Department of Fish and Game, Biogeographic Data Branch.

Digital Globe. 2009. Aerial photography.

Eriksen, C. and D. Belk 1999. Fairy Shrimps of California"s Puddles, Pools, and Playas. Mad River Press, Inc., Eureka, California.

Helm, Brent. 1998. Biogeography of eight large branchiopods endemic to California. Pages 124-139 in: C.W. Witham, E.T. Bauder, D. Belk, W.R. Ferren Jr., and R. Ornduff (Editors). Ecology, Conservation, and Management of Vernal Pool Ecosystems - Proceedings from a 1996 Conference. California Native Plant Society, Sacramento, CA.

Helm, B. P., and J. E. Vollmar. 2002. Vernal pool large brachiopods. Pages 151-190 in John E. Vollmar (ed.). Wildlife and rare plant ecology of eastern Merced County's vernal pool grasslands. Sentinel Printers, Inc. CA. 446 pp.

Fugate, M. 1993. BRANCHINECTA SANDIEGONENSIS, a new species of fairy shrimp (Crustacea: Anostraca) from Western North America. Proc. Biol. Soc. Wash. 106(2):296-304.

Simovich, M.A. and M. Fugate. 1992. Branchiopod diversity in San Diego County, California.

U. S. Fish and Wildlife Service. 1996. Interim Survey Guidelines to Permittees for Recovery Permits under Section 10(a)(1)(A) of the Endangered Species Act for the Listed Vernal Pool Branchiopods. 11 pp.

United States Fish and Wildlife Service (USFWS). 2002. US Fish and Wildlife Service, Riverside fairy shrimp, *Streptochephalus woottoni,* life history online document.

United States Fish and Wildlife Service (USFWS). 2002b. US Fish and Wildlife Service, San Diego fairy shrimp, *Branchinecta sandiegonensis,* life history online document.

USGS (United States Geological Service). 1975. 7.5-Minute Quadrangle Otay Mesa, California

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV

APPLICATION FOR CERTIFICATION
FOR THE *PIO PICO ENERGY CENTER, LLC*

Docket No. 11-AFC-1
PROOF OF SERVICE
(Revised 5/15/11)

Pio Pico Energy Center, LLC
Letter to Eric Solorio, Siting Project Manager, California Energy Commission, dated August 25, 2011 re Applicant's Supplemental Responses to Data Requests Related to Biological Resources

APPLICANT

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DECLARATION OF SERVICE

I, Judith M. Warmuth, declare that on August 25, 2011, I deposited copies of the aforementioned document and, if applicable, a disc containing the aforementioned document in the United States mail at 500 Capitol Mall, Suite 1600, Sacramento, California 95814, with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

AND/OR

Transmission via electronic mail, personal delivery and first class U.S. mail were consistent with the requirements of California Code of Regulations, Title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

Judith M. Warmuth